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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/517,825	12/14/2004	Jin-Ho Son	0630-2153PUS1	8737
2292 7590 01/11/2008 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			EXAMINER TAHA, SHAQ	
			ART UNIT	PAPER NUMBER
			2146	
			NOTIFICATION DATE	DELIVERY MODE
			01/11/2008	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

**Office Action Summary**

Application No.

10/517,825

Applicant(s)

SON ET AL.

Examiner

Shaq Taha

Art Unit

2146

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10/18/2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) \_\_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 - 20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

Applicant's arguments with respect to claims 1 – 20 have been considered but are moot in view of the new ground(s) of rejection.

### **Claim Rejections - 35 USC § 103**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

- Claims 1 – 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cho et al. (US 2003/0217136), as applied to claims 1 above, and further in view of Humpleman et al. (US 6,466,971).

Regarding claim 1 & 5 & 12 & 17, Cho et al. teaches In a UPnP (universal plug and

play)-based network system, **[An apparatus and method for managing and controlling UPnP devices in a home network over an external Internet network, (Abstract)];**

a method of performing a roaming function by including at least two CPs (control point), **[This control/management system comprises a user interface, a UPnP application program interface (referred to hereinafter as API), and a control point, (Paragraph**

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**0005]]**; wherein a synchronization method of a UPnP-based home network implements at least one UPnP device controllable by using at least one of the CPs, **[Fig. 1, Ref # 51]**; at least one of the CPs being recognizable as a UPnP device in the UPnP-based network system, **[Allowing the client to select a specific one of the UPnP devices, to be controlled by a user, from the Web page and acquire information of the selected specific UPnP device , (Paragraph 0015)]**.

Cho et al. differs from the claimed invention is that the roaming function is not taught by Cho et al.

Humpleman et al. teaches Method and system for command and control among a plurality of devices via a network.

Humpleman further teaches a Home devices, such as home theater equipment, are often controlled using a single common control unit, namely a remote control device.

This single common control unit allows a homeowner to control and command several different home devices using a single interface, **(Column1, line 60)**.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Cho by including a roaming function as taught by Humpleman.

One of ordinary skill in the art would have been motivated to make this modification in order to provide the advantage of performing a roaming function in a UPnP system.

Regarding claim 2, Cho teaches that the CP performs a CP function and a UPnP device function simultaneously by generating an imaginary UPnP device, **[Fig. 1, Ref # 150]**.

Regarding claim 3, Cho teaches that the UPnP device is generated by role-switching the CP, **[Fig. 1, Ref # 120, wherein the internet represents the switching between the client and the UPnP proxy]**.

Regarding claim 4 & 14 & 19, Cho teaches that the information about the CP before role switching is transmitted through an advertisement message of the UPnP device, **[Fig. 1, Ref # 140)]**.

Regarding claim 6 & 13 & 18, Cho teaches that the CP is constructed to be role-switched into the UPnP device by corresponding to a key input of a user according to roaming, **[A user can control a specific one of the devices in the home network in such a manner that the user inputs a control command associated with the specific device, (Paragraph 0005)]**.

Regarding claim 10, Cho teaches the method, wherein the synchronization method further includes: turning-on power of a CP to be used by a user after roaming, **[Fig. 1, Ref # 150]**;

storing information of a media server and a media renderer by checking a present roaming state through the CP, **[Fig. 5, Ref # S518]**;  
and judging correspondence of protocols and data formats of the media renderer before/after role-switch and finishing the operation, **[Fig. 6, Ref # S608]**.

Regarding claim 8 & 15 & 20, Cho et al. teaches In a UPnP (universal plug and play)-based network system, **[An apparatus and method for managing and controlling UPnP devices in a home network over an external Internet network, (Abstract)]**; Cho et al. differs from the claimed invention is that checking the roaming state in a device description is not taught by Cho et al.

Humpleman teaches that the CP classifies whether a message is an advertisement message of the UPnP device or a roaming message according to role-switch of a CP, **[FIG. 12 shows an example configuration of the building blocks to perform the function of generating command messages, (Column 11, lines 40 – 42)]**; by checking a roaming state in Device Description, information of a media server and a media renderer and a presently user selecting item, **[Referring to FIG. 4, to provide command and control between a client device 12 and the server device 14, in one embodiment, the client device 12 can include a renderer 24 for displaying a GUI 18 using a GCO 22 stored in the client device 12 or transferred to the client device 12 over the network from a desired server device 14, (Column 5, lines 65 – 67), (Column 6, lines 1 – 10)]**.

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Regarding claim 9 & 16, Humpleman teaches that the CP transmits a roaming message periodically for a certain time less than time recommended by a standard and is constructed to be role-switched again into a CP, **[The server device 14 can also include a clock 28, or maintains the current time, to allow time delay action based on time or clock input from a user, (Column 6, lines 62 – 65)]**.

Regarding claim 11, Humpleman teaches that the operation is finished when the protocols and the data formats are corresponded, when the protocols and the data formats are not corresponded, the operation is finished after matching-corresponding the media server and the media renderer, **[The software agent can additionally match the capabilities of various server devices 14 in the network 10 and display selection information for only those server devices 14 that have compatible capabilities, (Column 8, line 67), (Column 9, lines 1 – 3)]**.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Cho by including the function of checking the roaming state as taught by Humpleman.

One of ordinary skill in the art would have been motivated to make this modification in order to provide the advantage of checking the roaming state.

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- Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over , Cho et al. (US 2003/0217136). As applied to claim 1 above, and further in view of Di Kimura et al. (US 5,267,323).

Regarding Claim 7, Humpleman teaches the method according to claim 6 as described above. Humpleman further teaches the key input includes Korean, English, figures and special characters input function, **[Fig. 24]**;

Cho et al. differs from the claimed invention is that a voice recognition function is not taught in Cho et al.

Kimura teaches a voice recognition function, **[A voice-operated remote control system has two microphones and an ambient noise remover in a transmitter. One of the microphones picks up a voice command, and the other picks up ambient noise, (See Abstract)]**.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Cho by including a voice recognition function as taught by Kimura. One of ordinary skill in the art would have been motivated to make this modification in order to provide the advantage of a voice recognition function.

and judging correspondence of protocols and data formats of the media renderer before/after role-switch and finishing the operation. {103}



### **Conclusion**

The following prior art made of record and not relied upon is cited to establish the level of skill in the applicant's art and those arts considered reasonably pertinent to applicant's disclosure. See **PEP 707.05(c)**.

The following are analogous art because they are from the same field of endeavor of Device, Method, and Program for performing Master/Slave Switching Process:

- Cho et al. (US 2003/0217136).
- Humpleman et al. (US 6,446,971).
- Van Ryzin et al. (US 6,127,941).
- Di Kimura et al. (US 5,267,323).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Shaq Taha** whose telephone number is 571-270-1921.

The examiner can normally be reached on 8:30am-5pm Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Jeff Pwu** can be reached on 571-272-6798.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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12/26/07

S. Taha



JEFFREY PWU  
SUPERVISORY PATENT EXAMINER